

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PLANT PATENT APPLICATION (35 U.S.C. 161) DECLARATION (37 CFR 1.63)	Attorney Docket Number	
	First Named Inventor	J. P. DeWalt
	COMPLETE IF KNOWN	
	Application Number	
	Filing Date	JULY 7 th 2003
	Art Unit	
	Examiner Name	

☒ Declaration
Submitted
with Initial
Filing

OR

☐ Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16(e))
required)
I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) name below to be the original and first inventor(s) of the new and distinct variety of:

PAPAVER hybrid cross species

plant named:

PAPAVER superpoppy hybrid 'Heartbeat'

which is claimed and for which a plant patent is sought, the specification of which

☒ is attached hereto OR ☐ was filed on (MM/DD/YYYY) as United States

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claim, as amended by any amendment specifically referred to above.

I have asexually reproduced the plant to which this application applies.

☒ Said plant was found in cultivated area (check this box for newly found plant only)

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Check Only If Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

DECLARATION - Plant Patent ApplicationDirect all correspondence to: ☐ Custom Number
or Bar Code LabelOR ☒ Correspondence address belowName **MRS. SANDRA M. WORTH**Address **WATER MEADOW NURSERY**Address **CHERTON**City **NR: ALRESFORD**State **HAMPSHIRE**ZIP **SO24 0QB**Country **ENGLAND. U.K**Telephone **+44 (0)1962 771895**+44 (0)1962
Fax **771895**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventorGiven Name **James Peter**Family Name
or Surname**DeWelt**Inventor's
Signature**James Peter DeWelt**

Date

July 7, 2003Residence: City **Atascadero**State **CALIFORNIA**Country **U.S.A**Citizenship **AMERICAN.**Mailing Address **1345 GARCIA RD. ATASCADERO****(P.O. BOX 1066 . ATASCADERO . ZIP 93423 CALIFORNIA**

Mailing Address

City **ATASCADERO**State **CALIFORNIA**Zip **93422**Country **U.S.A.**

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventorGiven
NameFamily Name
or SurnameInventor's
Signature

Date

Residence: City

State

Country

Citizenship

Mailing Address

Mailing Address

City

State

Zip

Country

☐ Additional inventors or legal representative(s) are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.